

AMENDED IN SENATE MAY 5, 2009  
AMENDED IN SENATE APRIL 22, 2009  
AMENDED IN SENATE APRIL 2, 2009

**SENATE BILL**

**No. 712**

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**Introduced by Senators Padilla and Benoit**

February 27, 2009

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An act to add Article 6.7 (commencing with Section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 712, as amended, Padilla. "211" telephone number system.

Existing law requires a public safety agency, as defined, to maintain a "911" emergency telephone number, as specified, and sets forth the duties of the Division of Telecommunications of the Department of General Services, including the provision of management oversight of statewide telecommunications developments. Existing law authorizes a local public agency, as defined, to establish a nonemergency "311" telephone system, and authorizes the Division of Telecommunications to, among other things, aid local public agencies in the formulation of concepts, methods, and procedures that will improve the operation of the "311" systems and to increase cooperation among public agencies.

This bill would require an information and referral service provider, as defined, to operate a "211" system in a manner that is consistent with the applicable orders of the Federal Communications Commission and the Public Utilities Commission. The bill would provide that an information and referral services provider and its employees, directors, officers, and agents are not liable to any person in a civil action for

injuries or losses to persons or property, as a result of an act or omission of the provider or its employees, directors, officers, or agents, in connection with certain specified activities, unless the act or omission constitutes willful or wanton misconduct.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature hereby finds and declares  
2     all of the following:  
3     (1) Californians need easy-to-find, easy-to-access information  
4     for their social services needs as provided by “211” call centers.  
5     (2) Californians experience major disasters every year and need  
6     up-to-date, accurate information during those disasters in a manner  
7     that prevents overloading “911” systems with nonemergency calls.  
8     (3) Over the past five years, California has experienced four  
9     major wildfire natural disasters where the population either  
10    benefitted from or could have benefitted from a “211” system that  
11    provided information regarding evacuation, shelters, and other  
12    services.  
13    (4) In 2008, “211” call centers in California handled over 1.8  
14    million calls to assist people in finding the help they needed.  
15    (5) At a time of great economic crisis, with “211” call centers  
16    experiencing a 40 percent increase in calls for help, “211” is more  
17    important than ever to providing Californians access to the  
18    information and services they need.  
19    (6) California families are struggling in this economic recession.  
20    With the unemployment rate increasing to 10.5 percent throughout  
21    the state, many workers who have lost their jobs are also losing  
22    their homes and their health care. All too often, families and  
23    individuals don’t know where to turn for help. “211” is an  
24    easy-to-remember number that provides access to telephone and  
25    Internet-based means to connect people to the help they need now,  
26    and allows the caller to speak to a live person about his or her  
27    needs.  
28    (7) Many Californians, including senior citizens, people with  
29    disabilities, and low-income families, have restricted mobility.  
30    Where available, Californians can call “211” to obtain information

1 on transportation services or other social services in order to help  
2 them maintain their independence.

3 (8) Mental illness affects many families in California, and “211”  
4 call centers in California help those families connect with local  
5 resources.

6 (9) Many of the counties that do not have a “211” system lack  
7 the resources to plan and implement a “211” system on their own.  
8 These counties need the assistance of the state and federal  
9 governments to help their residents access health and human  
10 service programs and disaster-response information.

11 (10) During emergencies and disasters, the “911” system is  
12 sometimes overrun with nonemergency calls. A “211” system can  
13 help to divert nonemergency calls away from the “911” system,  
14 as evidenced by the “211” system in southern California that  
15 handled over 130,000 calls in the five-day period following the  
16 wildfires of October 2007.

17 (11) In authorizing the use of the “211” dialing code, the Federal  
18 Communications Commission found that “[i]ndividuals facing  
19 serious threats to life, health, and mental well-being have urgent  
20 and critical needs that are not addressed by dialing 9-1-1 for  
21 emergency assistance or 3-1-1 for non-emergency police  
22 assistance.”

23 (12) Californians need help navigating the sea of telephone help  
24 lines available to assist them, many of which rely on automated  
25 menu systems, only provide recorded information, or lack the  
26 capability to provide multilingual service or evening and weekend  
27 service. Research shows it sometimes takes a caller as many as  
28 eight separate calls to be connected with the appropriate resource.  
29 The “211” system allows those in need to make one free call to  
30 access the information and resources they need, in 140 different  
31 languages, 24 hours a day.

32 (13) The 2-1-1 California Partnership (2-1-1 California), a  
33 partnership of the California Alliance of Information and Referral  
34 Services (CAIRS) and the United Ways of California, currently  
35 coordinates statewide planning and research activities and provides  
36 leadership for “211” systems in California. 2-1-1 California has  
37 worked with key state agencies to establish and improve “211”  
38 systems in California, including the Public Utilities Commission,  
39 the California Emergency Management Agency, the State 911  
40 Advisory Board, the California Health and Human Services

1 Agency, California Volunteers, the Department of Transportation,  
2 the Department of Food and Agriculture, and the Department of  
3 Veterans Affairs.

4 (14) Currently, there are 21 California counties with established  
5 “211” systems, serving 86 percent of California’s population. All  
6 “211” call centers in California look to 2-1-1 California for  
7 direction, guidance, and leadership.

8 (15) 2-1-1 California is governed under the leadership of CAIRS  
9 and the United Ways of California, which are the main entities in  
10 the state that provide funding, training, standards, and technical  
11 support to the “211” call centers and oversee operations and  
12 planning for expanding “211” coverage statewide.

13 (b) It is the intent of the Legislature to do all of the following:

14 (1) Provide all Californians with an easy-to-remember, toll-free  
15 telephone number that can help them access the information,  
16 services, and benefits they need from public and nonprofit social  
17 services providers and emergency services providers.

18 (2) Provide the state with a more efficient and cost beneficial  
19 way to provide information to members of the general public,  
20 while saving public agencies the costs of operating various help  
21 lines and redirecting misdirected service request calls from  
22 members of the general public.

23 (3) Ensure oversight of “211” systems.

24 (4) Ensure coordination of “211” systems, policies, and  
25 standards with state and local government agencies.

26 (5) Ensure that “211” systems are developed in coordination  
27 with the Department of Veterans Affairs to increase access to  
28 information and resources for veterans who have sacrificed for  
29 our nation and for those new veterans who protected us from  
30 foreign terrorists and are now returning from current conflicts.

31 (6) Ensure that “211” systems maintain a close working  
32 relationship with California’s lead homeland security agency, the  
33 California Emergency Management Agency.

34 (7) Comply with federal funding opportunities, to the extent  
35 consistent with federal law, including potential future funding  
36 through the proposed Calling for 2-1-1 Act of 2009 (S. 211 and  
37 H.R. 211).

38 SEC. 2. Article 6.7 (commencing with Section 53128) is added  
39 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government  
40 Code, to read:

Article 6.7. Community Health and Social Services Disaster  
Response Telephone System

53128. (a) An information and referral service provider that uses the abbreviated dialing code “211,” shall operate the system in a manner that is consistent with the applicable orders of the Federal Communications Commission and the Public Utilities Commission.

(b) Except as specified in subdivision (c), an information and referral service provider that has been authorized by the Public Utilities Commission to use the “211” abbreviated telephone dialing code and its employees, directors, officers, and agents are not liable to any person in a civil action for injuries or losses to persons or property, as a result of an act or omission of the authorized information and referral service provider or its employees, directors, officers, or agents, in connection with any of the following:

(1) Developing, adopting, implementing, maintaining, or operating a “211” system.

(2) Making “211” available for use by the public.

(3) Providing “211” services.

(c) Subdivision (b) is not applicable to injuries or losses resulting from the willful or wanton misconduct of the information and referral service provider or its employees, directors, officers, or agents.

(d) The Public Utilities Commission shall be responsible for evaluating requests for, and authorizing the use of, the “211” abbreviated telephone dialing code. The Public Utilities Commission may assist information and referral service providers, local exchange carriers, and local public agencies to improve operation of, and access to, a “211” telephone dialing system and to increase cooperation among information and referral service providers, local exchange carriers, and public agencies.

(e) All state agencies and other official state organizations may provide reasonable assistance and cooperation in carrying out the purposes of this article, including, but not limited to, promoting the use of “211” telephone dialing for access to health and social services and for disaster response information.

53128.1. As used in this article, the following terms have the following meanings:

1 (a) “Agency” means the California Health and Human Services  
2 Agency.

3 (b) “Information and referral service provider” means an  
4 information and referral service provider currently authorized by  
5 the Public Utilities Commission to use the “211” abbreviated  
6 telephone dialing code.

7 53128.2. (a) In order to assist in the implementation of a “211”  
8 abbreviated telephone dialing system throughout the state, the  
9 agency shall be the lead entity, and shall be responsible for all of  
10 the following:

11 (1) Performing planning, administrative, fiscal, and reporting  
12 functions required under any state and federal “211” funding  
13 program.

14 (2) Developing a plan for implementation of “211” services  
15 throughout the state.

16 (3) Allocating “211” funds to entities in accordance with  
17 applicable law.

18 (4) Reporting activities and progress as requested by the  
19 Legislature or the Public Utilities Commission.

20 (5) Acting as liaison between state agencies and information  
21 and referral service providers, local exchange carriers, and local  
22 public agencies for the purposes of coordinating communication,  
23 training, and development of public-private partnerships and  
24 updating statewide service information.

25 (b) The agency may delegate the functions of the lead entity to  
26 another entity if the decisions and actions of the delegated entity  
27 are reviewed and approved by the agency. In selecting an entity  
28 to be delegated the functions of the lead entity, or in reviewing the  
29 performance of an entity that has been delegated functions of the  
30 lead entity, the agency shall consider the extent to which that entity  
31 conforms to all of the following:

32 (1) Consists of representatives from different geographic areas  
33 of the state.

34 (2) Demonstrates experience in providing leadership, education,  
35 and support to the information and referral service industry in the  
36 state.

37 (3) Demonstrates experience in statewide “211” planning and  
38 implementation efforts in the state.

39 (4) Demonstrates established relationships with information  
40 and referral service providers throughout the state.

1 (5) Demonstrates the means to maintain established relationships  
2 with information and referral service providers throughout the  
3 state.

4 (6) Demonstrates established relationships with national  
5 information and referral service interests and with information and  
6 referral service interests in other states.

7 (7) Demonstrates the ability to provide training, technical  
8 assistance, and service evaluation in adherence with information  
9 and referral service industry standards.

10 (8) Demonstrates substantial expertise with the operational  
11 requirements of information and referral service providers in the  
12 state, including, but not limited to, database resources, software  
13 requirements, and referral practices.

14 (9) Has the endorsement of information and referral service  
15 providers to act as the lead entity and to represent the system in  
16 statewide matters.

17 (c) The lead entity shall allocate federal and state funds made  
18 available for the development, implementation, and administration  
19 of the “211” telephone dialing system. In allocating those funds,  
20 the lead entity shall be responsible for accomplishing all of the  
21 following:

22 (1) Maximize the federal funds available to information and  
23 referral providers using the “211” abbreviated dialing code to  
24 provide comprehensive information and referral services ~~within~~  
25 *throughout* the state.

26 (2) Consider population, poverty rates, and geographic isolation.

27 (3) Consider information and referral service providers’  
28 developmental requirements, in addition to their operational  
29 requirements.

30 (4) Include a reasonable administration fee sufficient to support  
31 the activities of the lead entity.

32 (5) Ensure that any fund-matching requirement is met.

33 53128.3. The activities of the lead entity may be funded in any  
34 of the following manners:

35 (a) Through compliance with federal funding opportunities, to  
36 the extent consistent with state law, including potential future  
37 funding through the proposed Calling for 2-1-1 Act of 2009 (S.  
38 211 and H.R. 211).

39 (b) Upon appropriation by the Legislature.

- 1     (c) By other public and private sources.

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